SUBJECTS.

days, and if similar concessions were not granted to them now, they had no chance of ameliorating their condition. The Member said that Mahomedan Members were nominated to the various British Indian Legislative Councils without special reference to their English education and he prayed that a Mahomedan Member be nominated to the Travancore Legislative Council also.

Dewan's reply.—Noted.

30. The necessity for enacting an Insolvency Law for Travancore.

Mr. K. Parameswaren Pillai, B. A. & B. L. (Member, Trivandrum taluk) observed that the desirability of having an Insolvency Law to meet the needs of an ever-advancing country was self-evident without much argument in favour of it. All the civilised countries had such a law. Recent events in Travancore had made the people feel the absence of it badly. In Makaram 1087, two local Hundi Firms, having extensive transactions, collapsed suddenly and almost together. One suspended payment on the 11th and the other about the 12th of Makaram 1087. The results caused thereby were deplorable. The creditors were at a loss to know what to do. Such of them as had money rushed to the Courts and filed suits. Others either had no money or were reluctant to send good money after bad. Such coercive steps as warrants and attachments before judgment were also tried. In the meantime the insolvents themselves fled from the country. Their account books were suppressed. Without such books there was no means of finding what their outstandings were. The law, as it now stood, held out neither fear nor favour to induce them to co-operate. The debtors were also enabled to take advantage of the situation and they took acknowledgments of their debts for nominal sums from the insolvents. The machinery of both the Civil and Criminal Courts were set in motion but it was of no effect in the existing state of the law. An application in the nature of an insolvency petition was made to the District Judge of Trivandrum to sequester the effects of the insolvents and to appoint a receiver. Although the District Judge held that he had jurisdiction to entertain such a petition, the High Court negatived it and ruled that there was no provision in the existing law to meet the situation [28 T., L. R. 87].

The Member, therefore, pressed upon the attention of the Government that the time had come for passing a Regulation on the lines of the Provincial Insolvency Act of Madras (III of 1907). He further prayed that, in view of the continuance of the critical situation created by the failures of the Hundi Firms referred to, a Regulation be passed immediately by an Act of Proclamation with retrospective effect.

He also presented a petition signed by the leading lawyers and merchants of the town, requesting early legislative action in the matter.

Dewan's reply.—I agree as to the need for an Insolvency Regulation in the State. Action will be taken soon.

31. The need for legislation to protect the properties of the Christian churches.

Mr. L. H. Netto (Member, Nominated) observed that the Christian churches in Travancore, with very few exceptions, were built and endowed by indigenous Christians who were the subjects of His Highness the Maha Raja and that he

LIBRARY ARCHIVES Kerala Legislative Assembly

SUBJECTS.

churches and their endowments were managed by the parishioners through their representatives appointed from time to time. Of late, there had been a marked tendency on the part of the ecclesiastical authorities to obtain possession, absolute control and management of the churches and their properties with liberty of action to deal with them as they pleased. The people who were the real proprietors of those properties did not naturally cherish the move with favor. The result was the conversion of those sacred places consecrated to God into an arena of contest and strife involving the Christians concerned into harassing and costly litigation, both civil and criminal. Besides discord and disunion among the Christian subjects, it also caused unnecessary waste of public funds contributed by Christians for charitable purposes. Public peace had been violently shaken resulting in the closing of many a church. Disapproval of the methods adopted by the church authorities meant religious persecution of all sorts, including the refusal to perform marriages and to grant permission to bury the dead in church cemeteries. In the absence of a law to legalise Christian marriages and of Government burial grounds as in British India, the poor Christians were put to untold sufferings at the hands of the church authorities. He therefore submitted, for the consideration of the Government, that the time had arrived for the Government to exercise their powers of intervention as the guardians of the public peace and public charities and pass a legislative enactment for the protection, efficient control and management of the properties of the Christian churches and their endowments and thus avoid unnecessary litigation and waste of church funds. He added that there were laws in British India in respect of the Mahomedan, Hindu and other charities, and he prayed for a similar law here also.

On the Dewan asking whether any of the other Christian Members had to say anything on the subject, Mr. D. Francis (Member, Nominated) said that there was some dispute about the management connected with one church in the Agastiswaram taluk, that it was between the people themselves, of whom one party obeyed the priest, and that it ultimately ended in the excommunication of the party who went against the orders of the priest.

Dewan's reply.—The matter will be enquired into.

32. The necessity for certain modifications to the existing Civil law and Circulars.

Mr. K. Govinda Pillai (Member, Thiruvalla taluk) suggested the following modifications in the existing provisions of the Civil law and Circulars:—

(1) The provision of law that, in all cases of attachment before judgment, the plaintiff had to appear before the Court to swear in support of his application, should be modified. Such an appearance, which used to be dispensed with in some Courts by affidavits being accepted, had now become essential by reason of the decision reported in 26 T. L. R. 72.

(2) The provision of law that the deposit of sale proceeds in a Court did not constitute a "receipt" by the decree-holder under Section 307 A of the Civil Procedure Code worked hardship, because the *bona fide* debtor wishing to save at least some of his properties by depositing in Court

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